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3	UNITED STATES DISTRICT COURT		
4	DISTRICT OF NEVADA		
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6 7	INTERNATIONAL FIDELITY INSURANCE ) COMPANY, )		
8	Plaintiff, ) 2:07-cv-00287-RCJ-LRL v. ) ORDER AND RECOMMENDATION TIMBERLINE ARCHITECTURAL OPENINGS ) LLC, et al., )		
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11 12	Defendants. )		
13	Plaintiff has submitted a Motion to Enforcement Settlement (#177). No opposition was filed		
14	"The failure of an opposing party to file points and authorities in response to any motion shall constitute		
15	a consent to the granting of the motion." LR 7-2(d). Further, counsel for defendants has on multiple		
16	occasions assured plaintiff that the deeds of trust necessary to effectuate settlement pursuant to the		
17	parties' December 29, 2008 Settlement Agreement would be forthcoming. Mot. (#177) at 5-6; see also		
18	id., Exh. E (February 2009 e-mail chain). Defendants have refused to provide plaintiff with notarized		
19	original deeds of trust due to their deteriorating economic viability and their concern that posting the		
20	agreed-to collateral will cause additional economic hardship. See id., Exh. F (April 7, 2009 e-mails)		

Despite plaintiff's repeated requests and good faith efforts, defendants have evaded their obligations

Accordingly, and for good cause shown,

under the clear and unambiguous terms of the global settlement.

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1		IT IS RECOMMENDED that plaintiff's Motion to Enforcement Settlement (#177) be granted
2		IT IS ALSO ORDERED that plaintiff's Motion for Emergency Hearing (#178) is denied as
3	moot.	
4		DATED this 9 <sup>th</sup> day of June, 2009.
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7		LAWRENCE R. LEAVITT UNITED STATES MAGISTRATE JUDGE
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